



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD  
EXECUTIVE COMMITTEE MEETING  
Meeting on March 10, 2021**

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**MINUTES**

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The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:00 a.m., via WebEx Telephonic Conferencing per Executive Order No. 16 which permits an electronic meeting without a physical quorum in order to accomplish necessary business for the public health and safety of Tennesseans.

**Executive Committee Members Present:**

Wayne Hastings, Vice Chairman  
Eddie Hood  
Bobby Pitts

**TPUC Staff Present:**

Aaron Conklin, Legal Advisor to the TPUC staff  
Ryan McGehee, Legal Advisor to the TUUDEB  
Stacy Balthrop  
Slayde Warren

**Also Present:**

Bill Turner

**Roll Call & Minutes:**

Roll call confirmed Vice Chairman Wayne Hastings, Mr. Eddie Hood, and Mr. Bobby Pitts as present. The Committee considered the Minutes of the meeting of February 9, 2021. A motion to approve the Minutes by Mr. Pitts was seconded by Mr. Hood and approved unanimously. Three members voting on this motion, the motion carries 3-0.

**Presentation of Investigation of Complaints:**

The Committee heard and ruled on the following complaints:

**EB20-0219-**

**Alleged Violator:** Yates Construction Company  
**Alleged Excavator:** Mike Herron  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Mini Excavator  
**Root Cause:** Failure to use reasonable care within the tolerance zone  
**Finding:** In violation for failure to use reasonable care within the tolerance zone and Mike Herron ordered to attend compliance training.

**EB20-0222-**

**Alleged Violator:** Perfect Ideas  
**Alleged Excavator:** Jeff Dyer  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Mini Excavator  
**Root Cause:** Excavating beyond 15-day expiration  
**Finding:** In violation for excavating beyond 15-day expiration and Jeff Dyer ordered to attend compliance training.

**EB20-0223-**

**Alleged Violator:** Town Creek Landscaping  
**Alleged Excavator:** Barry Blanton  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Mini Excavator  
**Root Cause:** Failure to use reasonable care within the tolerance zone  
**Finding:** In violation for failure to use reasonable care within the tolerance zone and Barry Blanton ordered to attend compliance training.

**EB20-0224-**

**Alleged Violator:** Trantanella Construction  
**Alleged Excavator:** Gary Anderson  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Backhoe  
**Root Cause:** Excavating beyond 15-day expiration  
**Finding:** In violation for excavating beyond 15-day expiration and Gary Anderson ordered to attend compliance training.

**EB21-0004-**

**Alleged Violator:** L&M Electric  
**Alleged Excavator:** Blaine  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Trackhoe

**Root Cause:** Failure to use reasonable care within the tolerance zone

**Finding:** No violation

**EB21-0005-**

**Alleged Violator:** Vivid 1 Builders

**Alleged Excavator:** Marco Valdez

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Trackhoe

**Root Cause:** Failure to use reasonable care within the tolerance zone

**Finding:** In violation for failure to use reasonable care within the tolerance zone and Marco Valdez ordered to attend compliance training.

**EB21-0006 and EB21-0008 (consolidated)-**

**Alleged Violator:** Potter South East

**Alleged Excavator:** Robert Potter

**Complainant:** Powell Clinch Utility District

**Facility Type:** Gas

**Equipment:** Trackhoe

**Root Cause:** Failure to use reasonable care within the tolerance zone

**Finding:** In violation for failure to use reasonable care within the tolerance zone and Robert Potter ordered to attend compliance training.

**EB21-0012-**

**Alleged Violator:** Will McKee

**Alleged Excavator:** Will McKee

**Complainant:** Lexington Utilities

**Facility Type:** Gas

**Equipment:** Auger

**Root Cause:** Excavating before locate ticket was valid

**Finding:** In violation for excavating before locate ticket was valid and Will McKee ordered to attend compliance training.

**EB21-0016-**

**Alleged Violator:** Benjamin Franklin Plumbing

**Alleged Excavator:** Jack McNeal

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Trackhoe

**Root Cause:** Failure to use reasonable care within the tolerance zone

**Finding:** In violation for failure to use reasonable care within the tolerance zone and Jack McNeal ordered to attend compliance training.

**EB20-0217, EB21-0002, and EB21-0003-**

**Alleged Violator:** First Violation

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to give notice prior to excavation.

## **Update of Training Program by Tennessee 811 and Legislative Update<sup>1</sup>**

### **Discussion of future topics for next executive committee meeting.**

Future discussion topics include an upcoming election for an expiring term and the potential number of complaints for the upcoming meeting.

The Executive Committee meeting adjourned at 9:24 a.m.

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<sup>1</sup> These topics were addressed at the board meeting that followed.